

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DEMARCUS ROWE,

Plaintiff,

File no: 2:08-CV-162

v.

HON. ROBERT HOLMES BELL

DAVID BERGH, et al.,

Defendants.

_____ /

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation (docket #42) is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that:

Defendants' motion for summary judgment (docket #28) is hereby **GRANTED** and this case is dismissed in its entirety.

IT IS FURTHER ORDERED that the Court finds no good-faith basis for appeal within the meaning of 28 U.S.C. §1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

Dated: September 30, 2009

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE